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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.           | CONFIRMATION NO. |
|---|-------------|----------------------|-------------------------------|------------------|
| 10/748,664  | 12/31/2003  | Anurag Acharya       | 0026-0058                     | 2797             |
| 44989 7590 12/27/2006<br>HARRITY SNYDER, LLP<br>11350 Random Hills Road<br>SUITE 600<br>FAIRFAX, VA 22030 |             |                      | EXAMINER<br>KINDRED, ALFORD W |                  |
|   |             |                      | ART UNIT<br>2163              | PAPER NUMBER     |
| SHORTENED STATUTORY PERIOD OF RESPONSE  |             | MAIL DATE            | DELIVERY MODE                 |                  |
| 3 MONTHS  |             | 12/27/2006           | PAPER                         |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/748,664

Applicant(s)

ACHARYA ET AL.

Examiner

Alford W. Kindred

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-63 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-63 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/27/04 &amp; 12/7/06</u> . | 6) <input type="checkbox"/> Other: _____  |

**Detailed Action**

1. This action is responsive to communications: Application, filed on 12/31/06.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-63 are rejected under 35 U.S.C. 102(b) as being anticipated by Inaba et al., US# 200200733065.

As per claim 1, Inaba et al. teaches “identifying a document; obtaining one or more types of history data associated with the document” (see paragraph [0067] and [0086]) “generating a score for the document based on the one or more types of history data” (see paragraph [0052] and [0055]).

As per claim 2, Inaba et al. teaches “wherein the one or more types of history data includes information relating to an inception date; and wherein the generating a score includes: determining an inception date corresponding to the document, and scoring the document based, at least in part, on the inception date corresponding to the document” (see paragraph [0052] and [0072]).

As per claim 3, Inaba et al. teaches “wherein the document includes a plurality of documents; and wherein the scoring the document includes: determining an age of each of the documents based on the inception dates corresponding to the documents”

(see paragraph [0019]-[0052]) “determining an average age of the documents based on the ages of the documents, and scoring the documents based, at least in part, on a difference between the ages of the documents and the average age” (see paragraph [0052] and [0055]).

As per claim 4, Inaba et al. teaches “wherein the generating a score for the document includes scoring the document based, at least in part, on an elapsed time measured from the inception date corresponding to the document” (see paragraph [0052] and [0072]).

As per claim 5, Inaba et al. teaches “wherein the inception date corresponding to the document is based on at least one of a date when a search engine first discovers the document, a date when a search engine first discovers a link to the document, and a date when the document includes at least a predetermined number of pages” (see paragraph [0055] and [0072]).

As per claims 6-8, Inaba et al. teaches “determining a frequency at which the content of the document changes over time, and scoring the document based, at least in part, on the frequency at which the content of the document changes over time” (see paragraph [0019], [0049], and [0052]-[0053]).

As per claims 9-12, Inaba et al. teaches “wherein the frequency at which the content of the document changes is based on at least one of an average time between the changes, a number of changes in a time period, and a comparison of a rate of change in a current time period with a rate of change in a previous time period . . . differently weighted portions of content . . .” (see paragraph [0019], [0052]-[0057]).

As per claims 13, Inaba et al. teaches "wherein the amount by which the content of the document changes is based on at least one of a number of new pages associated with the document within a time period, a ratio of a number of new pages associated with the document versus a total number of pages associated with the document, and a percentage of the content of the document that has changed during a time period" (see paragraph [0052]-[0055], [0057], and [0072]).

As per claims 14-17, Inaba et al. teaches "weighting different portions of the content of the document differently based on a perceived importance of the portions, and determining the amount by which the content of the document changes as a function of the differently weighted portions of the content" (see paragraph [0052]-[0055]).

As per claims 18-29, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 1-17 and are similarly rejected.

As per claims 30-37, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 1-12 and are similarly rejected.

As per claims 52-53, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 1-4 and are similarly rejected.

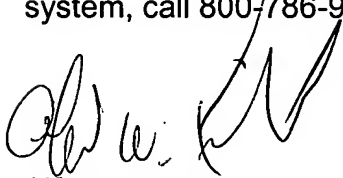
As per claims 54-63, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 1-17 and are similarly rejected.

**Conclusion**

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alford W. Kindred whose telephone number is 571-272-4037. The examiner can normally be reached on Mon-Fri 9:00 am- 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Alford W. Kindred  
Patent Examiner  
Tech Ctr. 2100